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#5

January 18, 2002

Michael A. Kaufman  
FLEHR HOHBACH TEST ALBRITTON & HERBERT  
Four Embarcadero Center Suite 3400  
San Francisco, CA 94111-4187

Dear Sir or Madam:

We regret to inform you that your request for refund dated 10/15/2001 in the amount of \$650.00 covering a fee for application serial number 09/869544 cannot be authorized. Please refer to the box checked below.

- (√) Small entity status fee not refundable. The time has expired for refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for refund of the excess amount are filed within two months of timely payment of the full fee (37 CFR 1.28).
- ( ) Application or petition fee not refundable.. Money paid by actual mistake or in excess, such as payment not required by law, will be refunded; but a mere change of purpose after payment of money, as when a party desires to withdraw an application, an appeal or a request for oral hearing does not entitle the party to a refund (37 CFR 1.26). If any application is filed without the specification or drawing and the omission is not corrected within the period set, the application will be returned or otherwise disposed of. The fee, if submitted should include the \$\_\_\_\_\_ handling fee (37 CFR 1.53).
- ( ) No refund is due. The charge of \$\_\_\_\_\_ is correct as filed for multiple dependent claims. A copy of the fee determination sheet is enclosed for your reference.

Any further questions concerning this refund, should be directed to Barbara Campbell at (703)305-3631.

Sincerely,

*Barbara A. Campbell*

Barbara A. Campbell, Paralegal  
PCT National Stage DO/EO